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8 UNITED STATES DISTRICT COURT
9 WESTERN DISTRICT OF WASHINGTON
10 AT TACOMA

11 LESLIE GUYNN,

12 Plaintiff,

13 v.

14 MICHAEL J. ASTRUE
Commissioner of Social Security,

15 Defendant.
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CASE NO. C08-5690-RBL-JRC

ORDER FOR REMAND

17 Based on the stipulation of the parties, it is ORDERED that the Commissioner's decision
18 in regard to Plaintiff's application for disability benefits under Title II and XVI of the Social
19 Security Act be REVERSED and REMANDED to the Commissioner of Social Security for
20 further administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g). The Appeals
21 Council shall remand this matter for further proceedings limited to consideration of Plaintiff's
22 eligibility for disability benefits for the period prior to March 1, 2006. Upon remand, the
23 Administrative Law Judge ("ALJ") shall (1) reconsider all of the medical evidence, including the
24 medical source opinions of Drs. Regets, Meggert, Neims, and Slater; (2) reassess Plaintiff's
25 mental and cognitive impairments at step two; (3) address Listing 12.05C; (4) reassess the
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1 claimant's residual functional capacity, specifically accounting for any limitations caused by
2 Plaintiff's impairments, including substance abuse, (5) consider the effect of the residual
3 functional capacity and step four finding from the Commissioner's prior decision dated February
4 8, 1999, pursuant to AR 97-4(9); and (6) reconsider Plaintiff's ability to work at steps four and
5 five, as necessary. If the ALJ finds that Plaintiff is disabled when considering the effects of her
6 substance abuse, then the ALJ shall conduct a proper materiality analysis. As the Appeals
7 Council previously remanded this matter, it shall be reassigned to a new ALJ upon remand.
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9 DATED this 19th day of June, 2009.

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12 RONALD B. LEIGHTON
13 UNITED STATES DISTRICT JUDGE

14 Recommended for Entry:

15 /s/
16 J. Richard Creatura
17 United States Magistrate Judge
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